

The Honorable S. Kate Vaughan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TSR LLC,

Plaintiff,

v.

WIZARDS OF THE COAST LLC,

Defendant.

No. 2:21-cv-01705-SKV

[PROPOSED] ORDER
GRANTING COUNTERCLAIM
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION

WIZARDS OF THE COAST LLC,

Counterclaim Plaintiff,

v.

TSR LLC; JUSTIN LANASA; and DUNGEON
HOBBY SHOP MUSEUM LLC,

Counterclaim Defendants.

1 THIS MATTER came before the Court on the Motion for a Preliminary Injunction
2 (“Motion”) of Wizard of the Coast LLC (“Wizards” or “Counterclaim Plaintiff”). The Court has
3 considered Counterclaim Plaintiff’s Motion and governing law, and the opposition papers of TSR
4 LLC, Justin Lanasa, and Dungeon Hobby Shop Museum LLC (“Counterclaim Defendants”).
5 Accordingly, it is hereby ORDERED:

6 1. Counterclaim Plaintiff’s Motion is GRANTED.

7 2. Wizards has demonstrated that it is entitled to immediate injunctive relief by
8 establishing: (a) it is likely to succeed on the merits of its claims, (b) it will suffer irreparable
9 injury absent the injunctive relief sought, (c) the balance of hardships weighs in Wizards’ favor,
10 and (d) the public interest favors granting injunctive relief.

11 3. With respect to likelihood of success on the merits, Wizards has demonstrated that
12 it is likely to succeed in showing:

13 a. Wizards owns enforceable trademark rights in the “Star Frontiers” and “TSR”
14 marks (“Marks”) because Wizards used the Marks in connection with role playing
15 games before Counterclaim Defendants began using their marks, and Wizards has
16 continued to use the Marks in commerce in connection with those goods; and

17 b. Counterclaim Defendants have created a likelihood of confusion by using marks
18 that are confusingly similar to the Marks in commerce in connection with role
19 playing games.

20 4. Counterclaim Defendants’ use of the Marks in connection with Counterclaim
21 Defendants’ Star Frontiers New Genesis product has caused immediate and irreparable injury to
22 Wizards’ reputation with prospective and current customers, goodwill, and other intangible assets,
23 and will continue to cause such harm if injunctive relief is not granted.

24 5. The harm Wizards will suffer as a result of Counterclaim Defendants’ actions if the
25 requested injunctive relief is denied outweighs any harm to Counterclaim Defendants’ legitimate
26 interests that will result from granting such relief.

6. It is in the public interest to protect the Marks and enjoin unauthorized distribution of products in connection with marks that are confusingly similar to Wizards' Marks.

7. The following persons who receive actual notice of this Preliminary Injunction by personal service or otherwise are bound and restrained by it: (a) TSR LLC, Justin Lanasa, and Dungeon Hobby Shop Museum LLC ; (b) agents, servants, employees, and attorneys of TSR LLC, Justin Lanasa, or Dungeon Hobby Shop Museum LLC, and (c) other persons who are in active concert or participation with anyone described in (a) or (b).

8. The persons described in Paragraph 7 above are hereby RESTRAINED from infringing Counterclaim Plaintiff's Star Frontiers and TSR trademarks by selling, promoting, advertising, marketing, offering, or distributing any iteration of the Star Frontiers New Genesis product.

9. This Preliminary Injunction shall remain in effect for the pendency of this litigation, unless otherwise dissolved by the Court.

IT IS SO ORDERED

DATED this _____ day of _____, 2022.

S. Kate Vaughan
UNITED STATES MAGISTRATE JUDGE

Presented by:

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